

House File 766 - Introduced

HOUSE FILE 766
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO HSB 214)

A BILL FOR

1 An Act relating to the delivery of alcoholic beverages by
2 retailers.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 123.46A, subsection 2, paragraph g, Code
2 2021, is amended to read as follows:

3 g. Delivery of alcoholic liquor, wine, or beer shall be made
4 by the licensee or permittee, ~~or the licensee's or permittee's~~
5 ~~employee, and not by~~ or a third party, provided the licensee or
6 permittee has entered into a written agreement with the third
7 party that authorizes the third party to act as an agent of the
8 licensee or permittee for the purpose of delivering alcoholic
9 liquor, wine, or beer. Each licensee or permittee shall submit
10 to the division electronically, or in a manner prescribed by
11 the administrator, a list of names and addresses of all third
12 parties it has authorized to act as its agent for the purpose
13 of delivering alcoholic liquor, wine, or beer. The licensee
14 or permittee shall provide the division with amendments to the
15 list as necessary to ensure the division possesses an accurate,
16 current list.

17 Sec. 2. Section 123.46A, subsection 2, paragraph i, Code
18 2021, is amended by striking the paragraph.

19 EXPLANATION

20 The inclusion of this explanation does not constitute agreement with
21 the explanation's substance by the members of the general assembly.

22 This bill authorizes the delivery of alcoholic liquor,
23 wine, or beer by a person other than a licensee or permittee
24 or an employee thereof, provided the licensee or permittee has
25 entered into a written agreement with the third party that
26 authorizes the third party to act as an agent of the licensee
27 or permittee for the purpose of delivering alcoholic liquor,
28 wine, or beer. The bill requires each licensee or permittee to
29 submit to the alcoholic beverages division of the department
30 of commerce a list of names and addresses of all third parties
31 it has authorized to act as its agent for the purpose of
32 delivering alcoholic liquor, wine, or beer and to update the
33 list as necessary. Under current law, third parties cannot
34 make such deliveries for a licensee or permittee.

35 The bill strikes a requirement that deliveries of alcoholic

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1 liquor, wine, or beer be made in a vehicle owned, leased, or
2 under the control of the licensee or permittee.